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On: 9 February 2005

By: Ann Massey  
Ann Massey

Attorney Docket No. 0339.310US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

S. Christopher Davis, *et al.*

Application No: 10/782,258

Filed: February 18, 2004

For: Enzymatic Processes for the  
Production of 4-Substituted 3-  
Hydroxybutyric Acid Derivatives

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


The references cited on the attached PTO/SB-08A-B form are being called to the attention of the Examiner to make of record references cited in parent application USSN 10/639,159 filed August 11, 2003. Pursuant to 37 C.F.R. § 1.98(d)(1) and (2), copies of documents cited on attached PTO/SB-08A-B form are not enclosed because these documents were previously submitted in parent application USSN 10/639,159 filed August 11, 2003.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

The Commissioner is hereby authorized to charge any fees under 37 CFR §1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-0990.

Respectfully submitted,

By:   
Sharon M. Fujita  
Attorney for Applicant  
Reg. No. 38,459

February 3, 2005

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<b>Substitute for form 1449A-B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Complete if Known</b>	
	Application Number	10/782,258
	Filing Date	February 18, 2004
	First Named Inventor	S. Christopher Davis
	Group Art Unit	Unassigned
	Examiner Name	Unassigned
	Attorney Docket Number	0339.310US

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			
	1	6,312,933 B1		Kimoto <i>et al.</i>	11/06/2001	
	2	6,218,156 B1		Yasohara <i>et al.</i>	04/17/2001	
	3	6,218,157 B1		Kimoto <i>et al.</i>	04/17/2001	
	4	6,168,935 B1		Yamamoto	01/02/2001	
	5	6,001,618		Kimoto <i>et al.</i>	12/14/1999	
	6	5,908,953		Matsuda <i>et al.</i>	06/01/1999	
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	8	5,700,670		Yamagishi <i>et al.</i>	12/23/1997	
	9	5,137,821		Sagai <i>et al.</i>	08/11/1992	
	10	5,559,030		Matsuyama <i>et al.</i>	09/24/1996	
	11	5,523,223		Kula <i>et al.</i>	06/04/1996	
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	15	5,298,411		Sogabe <i>et al.</i>	03/29/1994	
	16	5,250,415		Ebeling <i>et al.</i>	10/05/1993	
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	24	4,397,952		Von Hoerschelmann <i>et al.</i>	08/09/1983	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	First Named Inventor	S. Christopher Davis
	Group Art Unit	Unassigned
	Examiner Name	Unassigned
	Attorney Docket Number	0339.310US

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	25		WO 01/90397A1		Groningen <i>et al.</i>	11/29/2001		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s).		T
	26	BAYER, M. <i>et al.</i> , <i>Applied Microbiology and Biotechnology</i> (1994) 42(1):40-45		
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	28	BRADSHAW, C. W., <i>et al.</i> , <i>J. Org. Chem.</i> (1992) 57:1526-1532		
	29	HALLINAN, K. O., <i>et al.</i> , <i>Biocatalysis and Biotransformation</i> (1995) 12:179-191		
	30	ISBELL, H.S., <i>et al.</i> , <i>Carbohydrate Research</i> (1979) 72:301-304		
	31	KATAOKA, M., <i>et al.</i> , <i>Biochim et Biophysica Acta</i> (1992) 1122:57-62		
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	33	KATAOKA, M., <i>et al.</i> , <i>Appl. Microbiol. Biotechnol.</i> (1997) 48:699-703		
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	40	NAKAMURA, T., <i>et al.</i> , <i>Biochem. And Biophys. Research Comm.</i> (1991) 180(1):124-130		
	41	NAKAMURA, K., <i>et al.</i> , <i>Tetrahedron Letters</i> (1988) 29(20):2453-2454		
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	43	PATEL, R. N., <i>et al.</i> , <i>Enzyme Microb. Technol.</i> (1992) 14:731-738		
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